

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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RED LINE AIR, LLC,

Plaintiff,

- against -

ORDER

09-CV-3928 (RRM) (JMA)

G. HOWARD ASSOCIATES, INC., and GEORGE HENRY, in his individual capacity,

Defendants.

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MAUSKOPF, United States District Judge.

By Motion filed February 22, 2010, Plaintiff moved for default judgment. By Order entered March 3, 2010, this Court referred that motion to the assigned Magistrate Judge, the Honorable Joan M. Azrack, for a Report and Recommendation. On May 11, 2010, Judge Azrack issued a Report and Recommendation (the "R&R") recommending that Plaintiff's motion be granted and that default judgment be entered jointly and severally against Defendants. Judge Azrack further recommended that Plaintiff be awarded a total of \$3,646,942.01, reflecting \$4,012,465 in stipulated loss value, \$5,817.08 in late charges, \$237,660.86 in additional contract damages, \$5,255.38 in attorneys' fees and \$743.69 in costs, less Defendants' \$615,000 security deposit. Judge Azrack reminded the parties that, pursuant to Rule 72(b), any objection to the R&R was due May 28, 2010. No party has filed any objection.<sup>1</sup>

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, the Court has reviewed the R&R for clear error and, finding none, concurs with the R&R in its entirety. *See Covey v. Simonton*, 481 F. Supp. 2d 224, 226 (E.D.N.Y. 2007). Accordingly, the Clerk of Court is directed to enter default judgment jointly and severally against Defendants in favor of Plaintiff

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<sup>1</sup> On May 13, 2010, Plaintiff transmitted copies of the R&R to Defendants via Federal Express overnight mail. (See Docket No. 22.)

in the total amount of \$3,646,942.01, reflecting \$4,012,465 in stipulated loss value, \$5,817.08 in late charges, \$237,660.86 in additional contract damages, \$5,255.38 in attorneys' fees and \$743.69 in costs, less Defendants' \$615,000 security deposit.

SO ORDERED.

Dated: Brooklyn, New York  
June 8, 2010

s/RRM

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ROSLYNN R. MAUSKOPF  
United States District Judge